

## **AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **LISTING OF CLAIMS:**

1. (Currently Amended) A computer-implemented method for fulfilling an invitation for bids of at least one performance to be effected by a bidder against payment, comprising:
  - providing a database, comprising at least one performance description and at least one price description for each of a plurality of predetermined performances;
  - generating a list of performances desired by a buyer by selecting at least one of the predetermined performances from the database and by including the respective performance description in the list of performances;
  - forwarding the list of performances to a plurality of bidders;
  - receiving a bid from at least one of the plurality of bidders, each received bid including a bid price determined by the bidder and assigned to at least one performance description of the list of performances, the bid price stating the price to be paid to the bidder for effecting the respective performance by the bidder;
  - evaluating the received bids and selecting a bid from the bids received; and
  - updating the database such that, for each performance of the generated list of performances for which a bid is selected, the price description in the database corresponding to said performance is modified to reflect the selected bid, wherein at least the updating is performed by a computer.
2. (Original) The method according to claim 1, wherein the step of updating the database is performed automatically.
3. (Original) The method according to claim 1, wherein generating the list of performances includes modifying at least one performance description in the list of performances, and wherein updating the database includes automatically updating the price description corresponding to bid performances whose performance description was not modified.
4. (Original) The method according to claim 3, wherein the modified performance description comprises a new performance description which is stored in the database as an additional predetermined performance.

5. (Original) The method according to claim 1, wherein when generating the list of performances at least one performance description is added for a performance not contained in the data base, and wherein the step of updating the database is carried out automatically only for the performance descriptions which were not added.
6. (Original) The method according to claim 5, wherein the added performance descriptions comprises a new performance description which is stored in the database as an additional predetermined performance.
7. (Original) The method according to claim 1, wherein the step of generating the list of performances also includes generating an estimated bid which includes an estimated price for at least one desired performance of the a generated list of performances.
8. (Original) The method according to claim 7, wherein the estimated bid is generated automatically.
9. (Original) The method according to claim 7, wherein the estimated price is determined from the price description assigned to the performance.
10. (Original) The method according to claim 9, wherein the price description of the performance in the database comprises prices independent of the region in which the predetermined performance is to be effected, and wherein the database further comprises at least one regionally dependent price correction term for a plurality of regions in which the predetermined performance is to be effected.
11. (Original) The method according to claim 10, wherein the generated list of performances comprises a description for at least one place at which the performances described by the performance descriptions in the list of performances are to be effected, and wherein the estimated price is determined from the regionally independent prices and the at least one regionally dependent price correction term.
12. (Original) The method according to claim 11, wherein updating the price description is carried out independently from the at least one regionally dependent price correction term.

13. (Original) The method according to claim 1, wherein forwarding the list of performances includes determining a plurality of bidders to which to forward the list of performances.

14. (Original) The method according to claim 13, wherein determining a plurality of bidders to which to forward the list of performances is based on a history of past performance by the bidders.

15. (Original) The method according to claim 13, wherein forwarding the list of performances to the bidders after generating the list of performances and after determination of the plurality of bidders is performed automatically.

16. (Original) The method according to claim 1, wherein the list of performances is secured against modification upon the completion of the list of performances.

17. (Original) The method according to claim 1, wherein receiving bids includes receiving several bids from each of several bidders, with the last bid received from each bidder being used for bid evaluation and selection.

18. (Original) The method according to claim 1, wherein a submission deadline is determined and no bid is accepted after the submission deadline.

19. (Original) The method according to claim 18, wherein, prior to the submission deadline, and in response to a respective inquiry from the buyer, any received bids are disclosed to the buyer.

20. (Original) The method according to claim 18, wherein, prior to the submission deadline, and in response to a respective inquiry from the buyer, any received bids are not disclosed to the buyer.

21. (Original) The method according to claim 19, wherein the disclosed bid includes the time of receipt of the disclosed bid.

22. (Original) The method according to claim 1, wherein evaluating the received bids is

based on criteria comprising lowest price, estimated price, ideal price, deviation from the ideal price, and bidder performance information.

23. (Original) The method according to claim 1, wherein evaluating the received bids includes generating an ideal bid for each performance description of the list of performances, the ideal price being automatically determined as the minimum bid price assigned to the respective performance description.

24. (Original) The method according to claim 23, wherein a deviation from the ideal price is automatically determined for the bid price of each performance description of a received bid.

25. (Original) The method according to claim 1, wherein evaluating the received bids includes an automatic determination of a most favorable bid in which the total of the bid prices for the most favorable bid represents a lowest price compared to the remaining bids.

26. (Original) The method according to claim 7, wherein a synthetic price is generated from at least one estimated price as calculated from the price descriptions assigned to the respective performance description.

27. (Original) The method according to claim 7, wherein a synthetic price is generated from at least one ideal price as calculated from the bid prices assigned to the respective performance descriptions as their lowest quoted price.

28. (Original) The method according to claim 27, wherein the generated synthetic price is made available to a number of chosen bidders for inspection, and wherein each of the chosen bidders can submit modifications of their respective bid prices.

29. (Original) The method according to claim 28, wherein the synthetic bid is repeatedly calculated anew depending on the modifications and is made available for inspection by the chosen bidders.

30. (Original) The method according to claim 27, wherein an auction end time is determined after which modifications to the bids are no longer accepted.

31. (Original) The method according to claim 1, wherein after receiving the bids from a plurality of submitting bidders, the bids are made available to a chosen few of the submitting bidders such that each of the chosen bidders can inspect the bids of the remaining chosen bidders, and wherein each of the chosen bidders can submit modifications of their respective bid prices.

32. (Original) The method according to claim 31, wherein an auction end time is determined after which modifications can no longer be received.

33. (Original) The method according to claim 1, wherein after selecting the bid, the bidder who submitted the selected bid is automatically informed of the selection.

34. (Original) The method according to claim 1, wherein after selecting the bid, the bidders whose bids were not chosen, are automatically informed that their bids have not been selected.

35. (Original) The method according to claim 1, wherein after selecting the bid, a contract list of performances is generated automatically.

36. (Original) The method according to claim 35, wherein the contract list of performances is forwarded automatically to the bidder whose bid was selected.

37. (Original) The method according to claim 1, wherein selecting a bid is performed automatically.

38. (Original) The method according to claim 1, wherein the buyer is given access to at least a part of the database, and the buyer generates the list of performances at least partially from information in the database.

39. (Original) The method according to claim 38, wherein the received bids are stored and, after the submission deadline, are automatically transmitted to the buyer.

40. (Original) The method according to claim 38, wherein the buyer selects a bid from the bids received.

41. (Original) The method according to claim 38, wherein for a plurality of buyers, a separate database is reserved for each of said plurality of buyers.

42. (Original) The method according to claim 1, wherein the price description comprises a guiding performance description and a description of a specified rate of exchange per hour, wherein the guiding performance description states the amount of performance to be effected per hour, and wherein the hourly rate states the amount per hour to be paid to the bidder for the amount of performance per hour stated in the guiding performance description.

43. (Original) The method according to claim 1, wherein the price description comprises a plurality of bid prices from bids accepted in the past.

44. (Previously Withdrawn) A system for conducting invitations for bids for at least one contract awarder, wherein the bidding method is carried out for at least one performance to be effected by a bidder, comprising:

- a data storage device storing at least performance descriptions and price descriptions, wherein assigned to a plurality of predetermined performances there is stored at least one performance description and one price description for effecting the performance;

- a communications device forwarding performance descriptions selected from the stored performance descriptions to a party submitting an invitation for bids;

- a first receiving device receiving a list of performances, from the party submitting an invitation for bids, generated from the forwarded performance descriptions;

- a first transmission device forwarding the list of performances to a plurality of bidders;

- a second receiving device receiving bids from at least one bidder of the plurality of bidders, each bid comprising at least one bid price determined by the bidder, which bid price is assigned to a performance description of the forwarded list of performances, which bid price states the amount to be paid to the bidder for effecting the respective performance by the bidder;

- a second transmission device transmitting the received bids to the party submitting the invitation for bids;

- a third receiving device receiving information regarding a bid selected by the party submitting the invitation for bids; and

an update device updating the price descriptions stored in the data storage device based on at least one bid price of the bid selected by the party submitting the invitation for bids.

45. (Previously Withdrawn) A computer system for carrying out an invitation for bids for at least one performance to be effected by a bidder, comprising:

- a first transmission device transmitting a request to a remote server for transmitting a plurality of performance descriptions assigned to predetermined performances;

- a first receiving device receiving the transmitted plurality of performance descriptions;

- a selection device selecting at least one performance description from the plurality of received performance descriptions;

- a second transmission device transmitting information regarding the selected performance descriptions to the remote server;

- a second receiving device receiving, from a plurality of bidders, prices assigned to the selected performance descriptions;

- a processor determining one of the bidders as a selected bidder; and

- a third transmission device transmitting to the remote server information designating the selected bidder.

46. (Previously Withdrawn) The computer system according to claim 45, further comprising an indication device, said indication device generating a mask which shows in a column line by line, one below the other, data characterizing the selected performance descriptions, and which in a plurality of further columns shows the prices received from the plurality of bidders such that each bidder is assigned a separate column and the prices assigned to the same performance descriptions are arranged in the same line.

47. (Previously Withdrawn) The computer system according to claim 46, further comprising an input device inputting a request for modification of the assignment of the bidders to the plurality of further columns.

48. (Previously Withdrawn) A method for carrying out an invitation for bids for at least one performance to be effected against payment by a bidder, the bidder generating a bid for

effecting the performance; calculating payment to be made for effecting the performances from a guiding performance description and a specified rate of exchange per hour, the guiding performance description stating the amount of performance which is to be effected per hour, and wherein the hourly rate states the amount which is to be paid to the bidder per hour based on the amount of performance per hour determined by the guiding performance description.

49. (Currently Amended) A computer-implemented method for managing an invitation for bids for at least one performance to be effected by a bidder, comprising:

archiving a plurality of performances in a descriptions database, wherein each archived performance includes a performance description;

generating a list of desired performances from the archived performances;

distributing the generated list of performances to a plurality of bidders;

receiving a bid submitted from at least one of the plurality of bidders, wherein each submitted bid includes a price assigned to at least one of the distributed list of performances and wherein the assigned price is the bid price to be paid to the bidder for effecting the respective performance by the bidder;

evaluating the received bids and automatically selecting a bid from the bids received;  
and

updating the archived descriptions database with the prices from the selected bid,  
wherein at least the updating is performed by a computer.

50. (Original) The method according to claim 49, wherein the archiving of a plurality of performances in the descriptions database includes storing description and price information in a hierarchical descriptions database.

51. (Original) The method according to claim 50, wherein the price information in the descriptions database includes estimated prices derived from past selected bids.

52. (Original) The method according to claim 49, wherein generating the list of performances includes creating a new performance description not archived in the database.

53. (Original) The method according to claim 49, wherein distributing the generated list of performances comprises an invitation to bid.



54. (Original) The method according to claim 51, wherein evaluating the received bids further comprises:

- archiving bidder performance information in a historical database; and
- calculating an estimated price for each of the desired performances from the selected bid prices in the descriptions database.

55. (Original) The method according to claim 54, further comprising:

- monitoring bidder performance during the term of the performance; and
- archiving, in the historical database, information acquired from monitoring bidder performance.

56. (Original) The method according to claim 55, wherein selecting a bid further comprises:

- comparing a price received from one bidder against the prices received from each of the remaining plurality of bidders;
- comparing the lowest price bid for a performance against the calculated estimated price for that performance;
- determining whether the historical database contains negative performance information for each of the bidders submitting bids; and
- selecting a bid based on the bid price, the estimated price, and the historical information for the bidder.

57. (Previously Withdrawn) A computer readable medium encoded with software to manage an invitation for bids for at least one performance to be effected by a bidder by archiving a plurality of performances in a descriptions database, wherein each archived performance includes a performance description; generating a list of desired performances from the archived performances; distributing the generated list of performances to a plurality of bidders; receiving a bid submitted from at least one of the plurality of bidders, wherein each submitted bid includes a price assigned to at least one of the distributed list of performances and wherein the assigned price is the bid price to be paid to the bidder for effecting the respective performance by the bidder; evaluating the received bids and automatically selecting a bid from the bids received; and updating the archived descriptions database with the prices from the selected bid.

58. (Previously Withdrawn) A system for managing an invitation for bids for at least one performance to be effected by a bidder, comprising:

- a storage device archiving a plurality of performances in a descriptions database, wherein each archived performance includes a performance description;

- a first processor generating a list of desired performances from the archived performances;

- a transmission device distributing the generated list of performances to a plurality of bidders;

- a receiving device receiving a bid submitted from at least one of the plurality of bidders, wherein each submitted bid includes a price assigned to at least one of the distributed list of performances and wherein the assigned price is the bid price to be paid to the bidder for effecting the respective performance by the bidder;

- a second processor evaluating the received bids and automatically selecting a bid from the bids received; and

- an update device updating the archived descriptions database with the prices from the selected bid.